

November 1, 2019

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

King County Courthouse  
516 Third Avenue Room 1200  
Seattle, Washington 98104  
Telephone (206) 477-0860  
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[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

**ORDER OF DISMISSAL**

SUBJECT: Regional Animal Services of King County file no. **V19009873**

**SAMANTHA KING**

Animal Services Enforcement Appeal

Activity no.: A19005338

Appellant: **Samantha King**

[REDACTED]  
Issaquah, WA 98027

Telephone: [REDACTED]

Email: [REDACTED]

King County: Regional Animal Services of King County  
*represented by* **Tim Anderson**  
Regional Animal Services of King County  
21615 64th Avenue S  
Kent, WA 98032  
Telephone: (206) 263-5939  
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We are the most exacting of Animal Services on removal orders, given what is at stake. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976) (nature of private interest impacted is factor in determining how much process is due); Exam. R. XII.B.4 (in proceeding involving divestiture of legally cognizable rights, examiner may require adherence to court rules to “assure that due process of law is afforded”); *Repin v. State*, 198 Wn. App. 243, 284, 392 P.3d 1174 (2017) (Fearing, C.J., concurring) (analyzing court decisions recognizing “the bond between animal and human and the intrinsic and an estimable value a companion animal”). We have overturned more removal orders than we have sustained.

On at least three occasions we have dismissed removal orders because Animal Services did not submit the notice of violation and order of compliance allegedly later violated, prompting the removal. Within the last few weeks, we squandered resources (albeit in a viciousness case) because Animal Services had not initially transmitted a companion appeal on the same dog; us we had not properly noted that second appeal for hearing, requiring us to postpone the hearing and schedule a second hearing. With the last 10 days we wasted everyone's time starting a hearing on a removal order, only to find that Animal Services had not served the appellant with its staff report before the hearing, again requiring postponement.

Today's case takes it to another level, because the Notice and Order for Removal Animal Services sent over had no manager signature (making it void) and a blank certificate of service (making it difficult to know exactly when and how it was served or whether the appeal was timely). We thus DISMISS the removal order WITHOUT PREJUDICE.

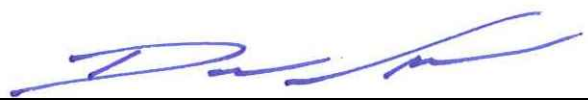
Obviously, Animal Services' resources are stretched thin. But in the immortal words of John Wooden, "If you do not have time to do it right, when will you have time to do it over?" The answer is not to do a mediocre job on a lot of removal orders and hope some of them skate by us. Instead, focus those limited resources on those scenarios that really, really require moving the dog out of King County, and then do a bang up job zealously preparing that smaller, more manageable subset of removal cases.

In an effort to avoid squandering everyone's resources trying to track down information, postponing a hearing, or denying an appeal based on missing paperwork, we set some ground rules for what we need in Animal Services' *initial* transmittal to us. When Animal Services sends us a future removal order appeal, at a minimum it must include:

- a current and complete list of parties and interested persons;
- any and all previous notices of violations and orders to comply (along with proof of service) related to the animal removal is being sought for;
- a signed copy of the removal order, along with a signed certificate of service; and
- any and all appeal statements.

We make no comments on the merits here. It may be that the facts here boost this case into the high-priority removal category. Our dismissal "without prejudice" is not a bar to the action being brought again in the future. If so, then approach this and all other removal orders with diligence, double and triple checking the work at each step of the process.

DATED November 1, 2019.



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David Spohr  
Hearing Examiner

**NOTICE OF RIGHT TO APPEAL**

King County Code 20.22.040 directs the Examiner to make the County’s final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *December 2, 2019*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

DS/vsm

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**CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file no. **V19009873**

**SAMANTHA KING**

Animal Services Enforcement Appeal

I, Vonetta Mangaoang, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **ORDER OF DISMISSAL** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED November 1, 2019.

*Vonetta Mangaoang*

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Vonetta Mangaoang  
Senior Administrator

**Anderson, Tim**

Regional Animal Services of King County

**Isaacson, Mari**

Prosecuting Attorney's Office

**King County Sherriff Dispatch**

Hardcopy

**King, Samantha**

Hardcopy

**Vincent, David**

Hardcopy

**Zielinski, Thomas**

Hardcopy